

**LIPMAN & PLESUR, LLP**

PRACTICE IN THE AREA OF EMPLOYMENT AND LABOR LAW

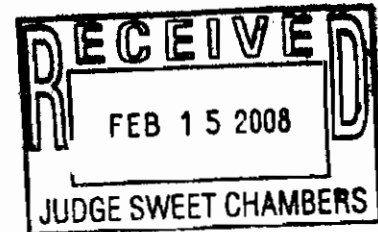
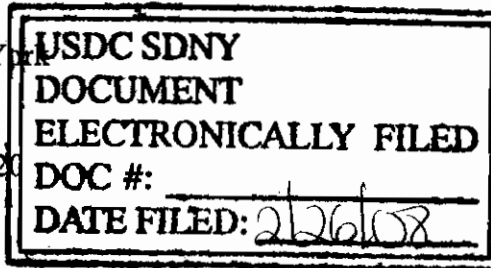
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Hon. Robert W. Sweet  
United States District Judge  
U.S. District Court  
Southern District of New York  
Daniel Patrick Moynihan  
United States Courthouse  
500 Pearl Street, Room 1920  
New York, NY 10007



January 15, 2008

Re: Marlon Castro, Octavio Rangel, Martin Vasquez, Alfredo Martinez, Rodolfo Mendez, Gerardo Angulo, Juan Martinez, Jose Cervantes, Sergio Sanchez, Israel Sanchez, Martinez Perez, Guillermo Mendoza, Omar Castillo and Amando Martinez, Individually and on Behalf of Others Similarly Situated v. Spice Place, Inc., Spice Avenue, Inc., Bangkok Palace II, Inc., Spice City, Inc., Spice West, Inc., Kitlen Management, Inc., Kittigron Lirtpanaruk and Yongyut Limleartvate, Index No. 07 CV 4657 (RWS) (DFE)

Dear Judge Sweet:

We are co-counsel for defendants in the above-captioned matter. The tentative settlement that we reached with the Attorney General's Office that for the most part parallels this action was contingent on the AG's office including the individuals who have opted into this action in the settlement. Counsel for the AG and counsel for plaintiffs have not yet reached an agreement. We therefore do not believe the scheduled settlement conference next week will be productive. We suggest that this matter be sent to a Magistrate for a mediation. Counsel for Plaintiffs has approved this letter and joins in this request.

*Southern  
District of New York  
2.20.08*

Respectfully,

Robert D. Lipman

RDL:ljt

cc: Michael A. Faillace, Esq. (Via Email)  
Richard E. Signorelli, Esq. (Via Email)  
Jennifer Brand, Esq. (Via Email)  
Juno Turner, Esq. (Via Email)